

Definitions of Noncompliance Categories

Noncompliance Category	Definition
Alcohol content: over	Laboratory results show that the actual alcohol content of the product is above the regulatory tolerances when compared with the product's label.
Alcohol content: under	Laboratory results show that the actual alcohol content of the product is below regulatory tolerances when compared with the product's label.
Class, type, or statement of composition is incorrect	Any issues regarding errors in the product's class, type, or statement of composition. It includes things such as failure to use the word "artificial" if required, use of "liqueur" on a wine product, or a statement of composition inconsistent with the formula.
Fill: over	Laboratory results show that the actual volume of product in the container is greater than two percent over the amount indicated on the label.
Fill: under	Laboratory results show that the actual volume of product in the container is greater than two percent under the amount indicated on the label.
Government warning has error	Government warning statement is present, but contains an error(s) in punctuation, spelling, missing or incorrect words, etc.
Mandatory information differs from COLA	Any change in brand name, name of producer/bottler/importer, address (including facility location not listed on COLA), country of origin, bottling statement, appellation, etc.
Mandatory information is Missing	Omission of any of the mandatory information, including: government warning, class/type, alcohol by volume, net contents, brand name, name and address, declaration of sulfites, yellow #5, country of origin, etc.
No COLA	There is no COLA for the product.
Non-mandatory information differs from COLA	Any change in non-mandatory information that involves new text or graphics, including: additional statements or words, additional labels (including foreign) not on the COLA, changes in wording, new pictures, etc.

Noncompliance Category	Definition
Prohibited practices	Label contains prohibited statements or graphics such as a misleading statement, strength claim, or misleading health claim.
Statement of average analysis	For products making a caloric or carbohydrate claim: Laboratory results show that calories, carbohydrates, protein, or fat content is outside of tolerances established in TTB Ruling 2004-1 and ATF Ruling 80-3, when compared with the product's label.
Tax class	For wine products: Product is labeled as belonging to one tax class, but laboratory results show that the product's actual alcohol content places the product in a different tax class.
Type-size/legibility	The font size of any mandatory information does not comply with regulatory requirements, or does not sufficiently contrast with the background.
Pesticides	Laboratory results show the presence of unauthorized pesticides or pesticide levels in excess of authorized amounts.
Adulterated	Laboratory results show the presence of a poisonous or harmful substance which may pose a health risk.
Other	Any other issues not covered above including, the label not firmly affixed to the bottle or the label is covered by another pasted on label.